IN THE CLAIMS

1. **(currently amended)** A congestion controller for an Ethernet switch comprising

a plurality of transmission queues which have different priorities,

~~a~~ receiving means for receiving a PAUSE frame,

~~a~~ restriction means for restricting transmission traffic from the transmission queues by the received PAUSE frame, wherein

the restriction means restricts the transmission traffic from a transmission queue of ~~the~~ a lowest priority by the PAUSE frame received at a time other than ~~the~~ a PAUSE time, and restricts the transmission traffic from the transmission queue of ~~the~~ a higher priority, by the PAUSE frame received during the PAUSE time.

2. **(currently amended)** A congestion controller for an Ethernet switch comprising

a transmission queue,

a receiving means for receiving a PAUSE frame,

a shaping means for shaping ~~the~~ transmission traffic from the transmission queue by the received PAUSE frame, wherein

the shaping means restricts transmission speed of the transmission traffic from the transmission queue to or below a transmission speed based on a predetermined shaping value by the receiving means receiving the PAUSE frame.

3. (original) A congestion controller according to Claim 2 in which the restriction of the transmission speed is performed by providing a gap in the transmission traffic.

4. **(currently amended)** A congestion controller for an Ethernet switch comprising

a transmission queue,

an identifying means for identifying an input port which causes congestion by counting packets resident in the transmission queue, corresponding to the input port, and

a transmission means for transmitting a PAUSE frame to another switch which is connected to the identified input port, wherein

the identifying means further identifies a traffic based on attributes of the packets, and

the transmission means notifies the other switch of the identified traffic by the PAUSE frame transmitted thereto.

5. **(canceled)**